



10-21-04

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Filed by Express Mail \_\_\_\_\_  
Receipt No. 5298018972745  
on Oct - 20 - 04  
pursuant to 37 C.F.R. 1.10.  
By Patricia Muir  
Patricia Muir

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Inventor : Seiichi KOBAYASHI  
Serial No. : 09/484,722  
Filed : January 18, 2000  
Title : APPARATUS USING IN-BAND TYPE ACCESS SYSTEM  
Examiner : Thomas E. Volper  
Group Art Unit : 2697

October 20, 2004

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Sir:

Applicant hereby appeals to the Board of Appeal from the final rejection dated April 20, 2004, of non-allowed claims 2 - 9.

The item(s) checked below are appropriate

1.  An extension of time to respond to the final rejection was requested on \_\_\_\_
2.  A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3.  Fee - \$340.00.

A petition for a three (3) month extension of time under 37 C.F.R. 1.136(a) is enclosed.

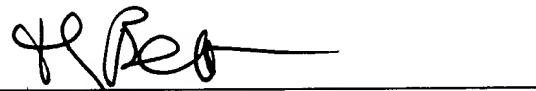
10/26/2004 AWONDAF1 00000021 501290 09484722

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- Charge to Deposit Account No. 50-1290 (one additional copy of this Notice is enclosed herewith).
- Enclosed. Please charge any additional fee required for this Notice of Appeal to Deposit Account No. 50-1290. A duplicate copy of this paper is enclosed.
- Not required (Fee paid in prior appeal)

Any fee due with this paper, not fully covered by an enclosed check, may be charged to Deposit Account 50-1290.

Respectfully submitted,



\_\_\_\_\_  
Thomas J. Bean  
Reg. No. 44,258

**CUSTOMER NUMBER 026304**

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